

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Eugene Laron Johnson,

Case No. 22-cv-2229 (KMM/LIB)

Plaintiff,

v.

ORDER

Wayne Little,

Defendant.

The above matter comes before the Court upon the Report and Recommendation (R&R) of United States Magistrate Judge Leo I. Brisbois, dated December 16, 2022. No objections have been filed to that R&R in the time period permitted.

The Court reviews de novo any portion of the R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2(b). In the absence of objections, the Court reviews the R&R for clear error. *Nur v. Olmsted County*, 563 F. Supp. 3d 946, 949 (D. Minn. 2021) (citing Fed. R. Civ. P. 72(b)) and *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)). Based on the Court's careful review of the R&R and the record in this case, the Magistrate Judge committed no error, clear or otherwise.

IT IS HEREBY ORDERED:

1. This action is **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction.
2. Mr. Johnson's Application to Proceed in District Court Without Prepaying Fees or Costs [Dkt. No. 3] is **DENIED as moot**.

Let Judgment Be Entered Accordingly.

Date: **March 14, 2023**

s/ Katherine M. Menendez

Katherine M. Menendez

United States District Judge